



**MINUTES OF THE  
LAND RECLAMATION COMMISSION  
TELECONFERENCE MEETING**

August 12, 2003

Chairman Ted Smith called the meeting to order at 10:37 a.m. at the Missouri Department of Natural Resources, 1738 East Elm Street, Jefferson City, Missouri.

**Commissioners Present:** Ted Smith; Jim DiPardo; Dr. Carol Wicks; Mimi Garstang; Jim Hull; and Hugh Jenkins.

**Staff Present:** Larry Coen; Mike Larsen; Andy Reed; Tim Thorn; and Shirley Grantham.

**Others Present:** Amy Randles, Attorney General's Office; Terry Ganey, St. Louis Post-Dispatch; Tom Weber, KWMU Radio; Jim Lunen, Holcim; Keith Klein, attorney for Holcim; Maxine Lipeless, Washington University; and Bea Covington, Missouri Coalition for the Environment.

**Closed Session.** Mr. DiPardo made the motion that the Land Reclamation Commission meet in Closed Session for the purpose of discussing personnel actions and legal actions, causes of actions, or litigation as provided for in Section 610.021, RSMo. Dr. Wicks seconded; motion carried unanimously.

The Commission reconvened in public meeting at 11:55 a.m.

1. IN RE: HOLCIM (US) INC., PERMIT APPLICATION (0858) (Attachment 1)

Mr. Jenkins made the motion to adopt the Order In Re: Holcim. Mr. DiPardo seconded; motion carried unanimously. The Order stated that the Land Reclamation Commission does not find, on the basis of the record before it, that Holcim has demonstrated a pattern, over the period of September 20, 1996, to the present, of noncompliance at other locations in Missouri that suggest a reasonable likelihood of future acts of noncompliance, nor does on the basis of the record before it, that any interested party's health, safety, or livelihood would be unduly impaired by the issuance of the permit. Therefore, the Land Reclamation Commission votes to issue the proposed permit to Holcim.

2. IN RE: SCHULTZ SAND & GRAVEL, PERMIT APPLICATION 0668 (Attachment 2)

Mr. Jenkins made the motion that the Commission adopt the Findings In Re: Schultz Sand and Gravel and that the Land Reclamation Commission grant the Motion to Dismiss the case, and issue the proposed permit to Schultz Sand and Gravel. Dr. Wicks seconded; motion carried unanimously.

3. STATE V. BOBBY LAUGHLIN, INDIVIDUALLY AND D/B/A MID COUNTY MATERIALS, ET AL. (CASE NO. 02CV324708, COLE COUNTY) – PROPOSED CONSENT JUDGMENT AND ORDER OF INJUNCTION (Attachment 3)

Mr. Hull made the motion to allow Larry Coen to sign the Proposed Consent Judgment on behalf of the Land Reclamation Commission in the above case. Dr. Wicks seconded; motion carried unanimously.

4. ADJOURNMENT

Mr. Hull made the motion the meeting be adjourned. Mr. DiPardo seconded; motion carried unanimously.

The meeting ended at 12:05 p.m.

Respectfully submitted,

---

Chairman